

MEMORANDUM OF UNDERSTANDING

Between

**The Elk Creek Conservation District
Sturgis, South Dakota**

And

**The United States Department of the Interior
Fish and Wildlife Service**

And

**The South Dakota Department
of Game, Fish and Parks**

I. PURPOSE:

This Memorandum of Understanding (MOU) between the Elk Creek Conservation District of South Dakota (District) and the United States Department of the Interior, Fish and Wildlife Service (FWS) and the South Dakota Department of Game, Fish and Parks (GFP) is made to work together on private land to implement multiple purpose wetland creations throughout Elk Creek, Butte, Lawrence, and Tri-County Conservation Districts. The overall goal of this project is to promote rangeland stewardship, provide habitat for wildlife, reduce soil erosion, and improve water quality. This agreement will allow the District, the GFP, and the FWS to work together to carry out this conservation work.

II. SCOPE OF WORK:

For a period hereinafter set forth, the District, the FWS, and the GFP shall provide the personnel, materials, services, facilities, and funds; and perform all things necessary for and incident to the performance of this MOU.

III. THE U.S. FISH AND WILDLIFE SERVICE WILL:

- A. Work cooperatively with the District and the GFP to implement multiple purpose wetland creations and document all such wetland projects on Partners for Fish and Wildlife (PFW) Wildlife Extension Agreements jointly signed by the FWS, the District, and participating landowners.
- B. Provide technical assistance in the completion of multiple purpose wetland creations and associated grazing management plans.
- C. Secure the following funding for wetland creations:
 - 1. \$50,000 from the FWS for wetland creations pursuant to this MOU.
 - 2. \$10,000 from Ducks Unlimited Incorporated.

IV. THE SOUTH DAKOTA DEPARTMENT OF GAME, FISH AND PARKS WILL:

- A. Work cooperatively with the District and the FWS to implement multiple purpose wetland creations and document such projects on PFW Wildlife Extension Agreements jointly signed by the FWS, the District, and participating landowners.
- B. Provide \$25,000 for wetland creations pursuant to this MOU.

V. THE ELK CREEK CONSERVATION DISTRICT WILL:

- A. Serve as the lead Conservation District for this project and work with other participating Districts to assure coordination throughout the project area.
- B. Provide administrative support and work cooperatively with the FWS, the GFP, and other partners to carry out the conservation work noted in this MOU, and in partnership with the FWS and GFP document all such activities on Wildlife Extension Agreements jointly signed by the FWS, the District, and participating landowners.
- C. Secure the following funding for this project:
 - (1) \$70,500 via Coordinated Soil and Water Conservation Grant #2011-CSW-012 from the South Dakota Department of Agriculture awarded to the District on December 28, 2010.
 - (2) \$75,500 from participating landowners in the form of a cash cost-share and in-kind services for conservation practices completed pursuant to this MOU. All landowner contributions will be documented on Wildlife Extension Agreements.
- D. Coordinate billing among the funding agencies, individuals, and organizations that will cooperate to carry out this project.

VI. SPECIAL PROVISIONS:

- A. All work carried out under this agreement will be in compliance with all requirements respecting nondiscrimination as contained in the Civil Rights Act of 1964, as amended, and the regulations of the Secretary of the Interior, which provide that no person in the United States shall, on the grounds of race, color, age, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs or activity receiving Federal financial or technical assistance from the Department of the Interior or any agency thereof.
- B. This agreement shall become effective when signed by all parties and will continue in effect until December 31, 2013.
- C. The terms of this agreement may be modified or amended at any time by mutual consent of the District, the FWS, and the GFP.
- D. This agreement may be terminated at any time by any party by giving 60 days written notice to the other parties.

VII. FINANCIAL ADMINISTRATION:

- A. This agreement does not obligate funds by the District, the FWS, the GFP, or any other agency or organization.
- B. Individual projects with participating landowners will be facilitated by Wildlife Extension Agreements administered by the PFW program as jointly signed by the FWS, the District, and participating landowners.
- C. Funds from the Coordinated Soil and Water Conservation Grant will only be obligated by contracts, purchase agreements, or other instruments individually approved by the District Supervisors.

VIII. PROJECT OFFICERS:

For the purposes of managing this agreement, including receiving and reviewing reports, and handling modifications.

For the Elk Creek Conservation District:

Dale Lundgren, Chairman
Elk Creek Conservation District
2202 W. Main
Sturgis, SD 57785
605-347-4952

For the South Dakota Department of Game, Fish and Parks:

Tim Olson, Senior Wetlands Biologist
South Dakota Department of Game, Fish and Parks
523 East Capitol Ave.
Pierre, SD 57501
605-773-3658

For the U.S. Fish and Wildlife Service:

Steve Fairbairn, Spearfish PFW Coordinator
D.C. Booth Historic National Fish Hatchery
423 Hatchery Circle
Spearfish, SD 57783
605-642-7730

IX. SIGNATURES:

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed as of the date therein written.

For the Elk Creek Conservation District:

Dale Sundgren
Chairman

3-17-11
Date

For the United States Department of Interior
Fish and Wildlife Service:

[Signature]
FWS Area PFW Coordinator

3/21/11
Date

For the South Dakota Department of Game, Fish and Parks:

[Signature]
Wildlife Division Director

4/4/11
Date

Operating Budget

Elk Creek Livestock Dam Project 2011-2013

Activity	Commission Grant	Landowners	GFP	FWS	DU	Total
Administration	\$ 2,000	0	0	0	0	\$ 2,000
Wetland Creations	\$68,500	\$75,500	\$25,000	\$50,000	\$10,000	\$229,000
Total	\$70,500	\$75,500	\$25,000	\$50,000	\$10,000	\$231,000